

49. (New) A method of determining conditions for processing to be carried out on data in a file by at least one input/output means which modulates a physical quantity, comprising:

29 a step of determining if at least some data in the file are or may be image data, text data and/or graphics data; and

a configuration determination step during which, without modifying the data, to take into account the determination result obtained in the determination step of the processing of the data for determining a configuration of a pilot of the input/output means designated to implement the processing.--

REMARKS

Claims 1-49 are now presented for examination. Claims 14 and 39 have been amended to correct their dependency, and Claims 1, 3, 9, 20-26 and 33 have amended as to other matters of form, not narrowing the scope of any claim. Claims 48 and 49 have been added to assure Applicants of a full measure of protection of the scope to which they deem themselves entitled. The abstract has been amended as to matters of form, including those kindly pointed out in the Office Action. A complete set of corrected formal drawings (thirteen sheets) is submitted herewith, in response to the objections to the drawings set out in the form PTO-948 attached to the Office Action.

Claims 1, 9, 26, 34, 48 and 49 are independent.

Claims 14 and 39 were rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Those claims have been amended to correct their dependency. It is

believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-13, 15, 19-21, 23, 24, 26-38, 40, 44 and 46 were rejected under 35 U.S.C. § 103(a) as being obvious from U.S. Patent 5,287,194 (Lobiondo) in view of U.S. Patent 5,692,111 (Marbry et al.); Claims 14, 39 and 47 were rejected under Section 103(a) as being obvious from those patents, in view of U.S. Patent 5,859,711 (Barry et al.), Claim 22, as being obvious from *Lobiondo* and *Marbry* in view of U.S. Patent 5,040,079 (Shimizu), Claim 25 as being obvious from *Lobiondo* and *Marbry* in view of U.S. Patent 5,926,285 (Takahashi), Claims 7, 42 and 45 as being obvious from *Lobiondo* and *Marbry* in view of U.S. Patent 6,298,173 (Lopresti), and Claims 16, 18, 41 and 43 as being obvious from *Lobiondo* and *Marbry* in view of U.S. Patent 6,184,999 (Yoshida et al.).

The present invention is directed to providing a capability in setting the parameters of peripherals and the like in an intelligent and flexible manner based at least in part on the intended processing of the data in question. as described in the introductory portion of the present application, peripherals' parameters are generally set either at the time of manufacture, or by a dialog between the user and the computer system, or (by default) by the computer system itself. Again, certain file transfer protocols do automatically take into account the form of a file to be transferred (for example, whether the file is binary or not), but do not otherwise take into account the intended processing of the data in the file. The present invention intends to provide, as stated, flexible and intelligent setting of parameters according to intended processing of the data.

Independent Claim 1 is directed to a device for determining conditions for processing to be carried out on data in a file, by at least one input/output means which

modulates a physical quantity. The device of Claim 1 comprises means for determining semantics of the processing of the data. Also provided are configuration determination means adapted, without modifying the data, to take into account the semantics of the processing of the data for determining a configuration of a pilot of the input/output means designated to implement the processing.

Lobiondo relates to a system of distributed printing, in which a scheduling routine utilizes a total complex of printers available at various locations on a network to allocate and complete printing jobs, based on for example requested completion time, and other factors. If the requested completion time is not achievable with a single printer, the job can be divided into portions that are allocated to respective printers.

It should be noted, however, that the information used as criteria to select the printer(s) used are not determined by the printer itself, nor by the system, but rather are sent or temporarily stored in a storage means accessible by the system (col. 3, lines 36-40), and in fact originate with a user, who inputs them in the course of requesting the print job (col. 3, lines 56-59). Moreover, nothing has been found in *Lobiondo* that would teach or suggest using even these criteria or factors to determine the configuration of the pilot of the printer, as recited in Claim 1. For all these reasons, Claim 1 is believed to be clearly patentable over *Lobiondo* alone.

Marbry relates to automatic installation of printers in a distributed environment, intended to provide a point-and-print capability to users of the system. This capability permits a user to select any printer on the system to perform the user's print job, just by selecting that printer and requesting printing on it. The retrieval of configuration information, and installation of the printer, is performed without other intervention by the

user, from a database maintained at a network server. In the course of this process, the configuration information and a printer driver are copied to a location that is local to the workstation where the print job request has been entered by the user (col. 3, lines 27-35). In addition, while *Marbry* mentions that complete configuration information (if available) is retrieved from the server and provided to the workstation (col. 1, lines 55 and 56; col. 2, lines 1-11), nothing has been found or pointed out in this patent, that would teach or suggest that the configuration information or the printer driver in any fashion takes into account the semantics of the document to be printed. In consideration of this, Applicants submit that Claim 1 is also clearly allowable over *Marbry*, taken alone.

Moreover, even if *Lobiondo* and *Marbry* are combined in the manner proposed in the Office Action (and even assuming such combination would be proper), the result would apparently be a system that would make it possible to determine, from instructions explicitly provided by a user, the printer(s) to use in printing a job within a prescribed (by the user) time limit, and in which the necessary printer drivers would be installed automatically (when needed). Nothing in either patent, however, nor in any possible combination thereof, would teach or suggest a system that would take the semantics of the file being processed itself, in determining *any* relevant configuration information. Accordingly, it is believed to be clear that Claim 1 is allowable over both patents, taken separately or in any possible combination.

Independent Claim 9 is directed to a device for determining conditions of processing to be carried out on data of a document, by at least one input/output means which uses a physical quantity. The device of Claim 9 comprises quantity determination means for determining at least two quantities related to the document, and means for

estimating content of the document, adapted to take into account each of the at least two quantities. The device also has pilot configuration determination means adapted to take into account the content of the document in order to determine a configuration of the pilot of the input/output means intended to implement the processing.

Thus, among other important features of a device according to Claim 9, is the ability to take into account the semantics of a file in order to determine the configuration of the pilot of a particular input/output means that is to perform processing of the file. As discussed above, nothing in either *Lobiondo* or *Marbry*, or both together, is seen to teach or suggest such a feature.

Independent Claim 48 is directed to a device for determining conditions for processing to be carried out on data in a file by at least one input/output means which modulates a physical quantity. This device comprises means for determining if at least some data in the file are or may be image data, text data and/or graphics data, and configuration determination means adapted, without modifying the data, to take into account the determination result obtained by the determination means of the processing of the data for determining a configuration of a pilot of the input/output means designated to implement the processing.

Again, nothing in either patent, nor in any possible combination of both, is seen to teach or suggest any system that could define the configuration of a printer (for example) based on the content of the file to be processed, much less that could do so without modifying the content of the file. For at least that reason, Claim 48 also is deemed clearly allowable over *Lobiondo* and *Marbry*.

Independent Claims 26, 34 and 49 are method claims respectively corresponding to device Claims 1, 9 and 48, and are believed to be patentable for at least the same reasons as discussed above in connection with the latter claims.

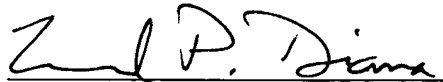
A review of the other art of record has failed to reveal anything which, in Applicants' opinion, would remedy the deficiencies of the art discussed above, as references against the independent claims herein. Those claims are therefore believed patentable over the art of record.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicants respectfully request favorable reconsideration and early passage to issue of the present application.

Applicants' undersigned attorney may be reached in our New York office by telephone at (212) 218-2100. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,



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A.N. 09/220,063
Atty. Docket No. 01807.000631.

VERSION MARKED TO SHOW CHANGES TO ABSTRACT

The device [according to the invention] determines conditions for a processing liable to be carried out on data in a file, by at least one input/output [means] device or unit. To this end[. it has: -a means of determining] the semantics of the processing of the [said] data are determined, and [-] a configuration determination [means adapted] is performed, without modifying the [said] data, to take into account the semantics of the [said] processing of the [said] data in order to determine the configuration of the pilot of the input/output [means] device or unit intended to implement this processing. [(Figure 1)]

VERSION MARKED TO SHOW CHANGES TO CLAIMS

1. (Twice Amended) A device for determining conditions for processing to be carried out on data in a file, by at least on input/output means which modulates a physical quantity, comprising:

[means for determining semantics of the processing of the the data, and]
means for determining semantics of the processing of the [the] data, and
configuration determination means adapted, without modifying the data, to take into account the semantics of the processing of the data for determining a configuration of a pilot of the input/output means designated to implement the processing.

3. (Twice Amended) [the] The device according to Claim 1, including
means of dialoguing with a user adapted to transmit questions to the user and to receive information from the user in response, and

the configuration determination means is also adapted to take into account the information received in response from the user in order to determine the pilot configuration.

9. (Twice Amended) A device for determining conditions of processing to be carried out on data of a document, by at least one input/output means which uses a physical quantity, comprising

quantity determination means for determining at least two quantities related to the document,

means for estimating content of the document adapted to take into account each of the at least two quantities, and

pilot configuration determination means adapted to take into account the content of the document in order to determine[d] a configuration of the pilot of the input output means intended to implement the processing.

14. (Twice Amended) The device according to Claim 9, wherein the quantity determination means is adapted so that one of the quantities represents a number of pages in the document represented by the document.

20. (Twice Amended) A printer [characterised in that it has] having a device according to Claim 1.

21. (Twice Amended) A facsimile machine, [characterised in that it has]
having a device according to Claim 1.

22. (Twice Amended) A modulator-demodulator, [characterised in that it
has] having a device according to [claim] Claim 1.

23. (Twice Amended) A display screen, [characterised in that it has]
having a device according to Claim 1.

24. (Twice Amended) A photographic apparatus, [characterised in that it
has] having a device according to Claim 1.

25. (Twice Amended) A camera having an image sensor, [characterised in
that it includes] including a device according to Claim 1.

26. (Twice Amended) A method of determining conditions for processing
to be carried out on data in a file, by at least one input/output means which modulates a
physical quantity, comprising:

a step of determining semantics of the processing of the data and
a pilot configuration determination step during which, without
modifying the data, the semantics of the said processing of the data is taken into account,

[of determining] in order to determine the configuration of the pilot of the input/output means designated to implement the processing.

33. (Twice Amended) The method according to Claim 26, including:

checking availability of input/output means during which an item of information representing unavailability for the processing of the data is transmitted, when the means intended to process the said data is not available for this purpose; and

during the determining step, taking into account[,] the unavailability information in order to determine the configuration of another input output means able to implement the processing of the data.

39. (Twice Amended) The method according to Claim 38, wherein during the quantity determination step, one of the quantities represents a number of pages in the document represented by the document.